

VIA HAND DELIVERY: DECEMBER 11, 2000

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Choi, et al.

Issue Batch No.: H61 #21

2/05/02  
T. Gray

Application Serial No.: 08/961,083

Date Allowed: February 1, 2000

Filed: October 30, 1997

Art Unit: 1641

For: *Streptococcus pneumoniae* Antigens  
and Vaccines

Examiner: Hines, J.

Attorney Docket No.: PB340P2

**PETITION TO WITHDRAW APPLICATION FROM ISSUE  
UNDER 37 C.F.R. § 1.313(b)(1)**Office of Petitions  
Washington, D.C. 20231  
Attn: Marianne Morgan  
Fax No.: 703-308-6916

Sir:

The Issue Fee for the above-identified application was paid on April 27, 2000, and was assigned Issue Batch No. H61. The above-identified application is scheduled to publish as United States Patent Number 6,159,469 on December 12, 2000.

Pursuant to 37 C.F.R. § 1.313(b)(1), Applicants request that the above-identified application be withdrawn from issue for abandonment in order to permit consideration of the amendment to the specification and claims that was filed concurrently with the Issue Fee on April 27, 2000, but disapproved for allegedly being an amendment under 37 C.F.R. § 1.312(b). Applicants submit herewith a copy of the postcard date-stamped by the Patent and Trademark Office on April 27, 2000, the Amendment Under 37 C.F.R. § 1.312, and the Issue Fee Transmittal. These documents evidence that the April 27, 2000 filing of the amendment was not after the date that the issue fee was paid, and accordingly, does not constitute an amendment under 37 C.F.R. § 1.312(b). Applicants additionally submit concurrently herewith a Continued Prosecution Application (CPA) Request Transmittal Under 37 C.F.R. § 1.53(d); and (b) Fee Transmittal.

The fee required with this Petition under 37 C.F.R. § 1.313(b)(1) is estimated to be \$130.00 under 37 C.F.R. § 1.17(i). Please charge the required fee and any other fee deemed necessary to Deposit Account No. 08-3425.

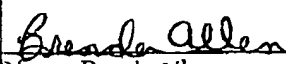
Respectfully submitted,

Date: December 11, 2000

  
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Attorney for Applicants

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Enclosures

| Telecopier Transmission Certificate   |                         |
|---|-------------------------|
| Send date: December 11, 2000  |                         |
| I hereby certify that this paper and the attachments hereto are being sent by telecopier transmission to 703-308-6916 on the above-indicated date addressed to: |                         |
| Marianne Morgan - Office of Petitions<br>U.S. Patent and Trademark Office<br>Washington, D.C. 20231   |                         |
| <br>Name: Brenda Allen   | <u>12.11.00</u><br>Date |